

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

RICHARD CARUSO,

Plaintiff,

v.

NATIONAL RECOVERY AGENCY,

Defendant.

Case No.: 16-CV-1679-BAS-WVG

**ORDER DENYING PLAINTIFF'S EX  
PARTE MOTION TO APPEAR  
TELEPHONICALLY AT EARLY  
NEUTRAL EVALUATION  
CONFERENCE [ECF NO. 12]**

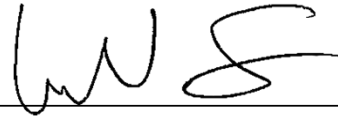
On September 22, 2016, the Court issued a Notice and Order for Early Neutral Evaluation (“ENE”) Conference, which set an ENE Conference for October 31, 2016. (ECF No. 9.) Plaintiff Richard Caruso filed an *ex parte* motion requesting that he be permitted to appear telephonically at the ENE Conference. (ECF No. 12.) On October 18, 2016 the Court held a telephonic Status Conference with Plaintiff Richard Caruso and Ms. Grace Felipe, counsel for Defendant National Recovery Agency.

Plaintiff asserts he has a medical issue that may cause him to have an anxiety attack and that this medical issue caused Plaintiff to miss an ENE Conference in a different matter. (ECF No. 12 at 2.) However, Plaintiff has filed no documents or declarations in support of the claim that a medical issue should excuse him from personally appearing at the ENE Conference. There are not sufficient facts to constitute good cause to excuse Plaintiff from the ENE Conference. As set forth in the order setting the ENE Conference (ECF. No. 9)

1 and Judge Gallo's Chambers Rules, personal appearances at ENE Conferences are integral  
2 to the settlement and case resolution process. Accordingly, the Court DENIES Plaintiff's  
3 motion to appear telephonically at the ENE Conference.

4 **IT IS SO ORDERED.**

5 Dated: October 20, 2016

A handwritten signature in black ink, appearing to read 'WV Gallo', written over a horizontal line.

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7 Hon. William V. Gallo  
8 United States Magistrate Judge  
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